

# RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on Thursday, February 9, 2023

Riverside, OH

**CALL TO ORDER:** Deputy Mayor Lommatzsch called the Riverside, Ohio City Council Work Session to order at 6:00 pm at the Riverside Administrative Offices located at 5200 Springfield Street, Suite 100, Riverside, Ohio, 45431.

**PLEDGE OF ALLEGIANCE:** Deputy Mayor Lommatzsch led the pledge of allegiance.

**ROLL CALL:** Council attendance was as follows: Mr. Denning, present; Mrs. Franklin, present; Ms. Fry, present; Mr. Joseph, present; Ms. Lommatzsch, present; Mr. Maxfield, present; and Mayor Williams, absent.

Staff present was as follows: Josh Rauch, City Manager; Chris Lohr, Assistant City Manager; Kathy Bartlett, Public Service Director; and Katie Lewallen, Clerk of Council.

**EXCUSE ABSENT MEMBERS:** Mr. Denning moved, seconded by Mr. Joseph, to excuse Mayor Williams. All were in favor. **Motion carried.**

**ADDITIONS OR CORRECTIONS TO AGENDA:** No changes were made to the agenda.

**APPROVAL OF AGENDA:** Mr. Joseph moved, seconded by Mr. Maxfield, to approve the agenda as presented. All were in favor. **Motion carried.**

## WORK SESSION ITEMS:

**I. Ordinance: Parking in front of mailboxes** – Mr. Rauch stated there were some complaints previously regarding parking in the Matt Way area, specifically, where parking has been in front of mailboxes and mail not being delivered. Chief Robinson stated the ORC Section 4511.68 regarding parking prohibition mirrors exactly what the City of Riverside has; however, there is no law against parking in front of a mailbox at a state level. Most states do not have a law regarding this as they rely on local municipalities to handle this. He stated the United States Post Office does have a 15' policy regarding distance between vehicles and mailboxes. He spoke with two residents in the area that had similar parking in front of their residents, roughly 8' – 10', to see if they had problems getting their mail. Both indicated they did receive their mail. Discussion was had on the distances between aprons in the area. He added that someone was having work done with a contractor and it prohibited that resident from getting mail for a week and a half. They received a call about that, but informed the resident there is not a law. He proposed legislation that would allow them to move a car. They aren't looking to give citations but want to be able to have the legislation that requires them to move. He stated 10' on either side of the mailbox would be sufficient. He suggested a time frame on enforcing the law as well such as 8 am – 5 pm.

Mr. Maxfield stated that was his neighborhood and that not all postal workers exhibit the same behavior as one is strict and will not deliver if a mailbox is blocked, but one will

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continually deliver. He stated that parking is tight, and they have prohibited parking on one side of the street even though many don't follow that. He feels they do need to do something about the mailboxes. Ms. Fry asked how the enforcement would play out. She stated an easy way would be that another person cannot park in front of a house, but that a resident can park in front of their own. Mrs. Franklin asked if they looked at other cities. Chief Robinson stated there are other cities that have this code. Deputy Mayor Lommatzsch asked if there is legislation regarding fire hydrants as people park beside hydrants. Chief Robinson replied there is; it is in the code already. Mrs. Robinson stated they can add this, but there is other code that prohibits parking, and they are not being cited. She asked if it will take priority because it is new. Chief Robinson stated he didn't think so. Sometimes things do get overlooked; officers are busy with other things. They do need to enforce it, and they do plan to do it. Discussion continued on legislation and it continuing through to future police officers to use as a tool. Mr. Maxfield stated it will overall help the postal workers. Chief Robinson stated they can decide on 10' and the postal workers can still not deliver. Mr. Denning replied that would be up to them, but the city is trying. If there is an issue and a complaint, they can go out and say something to get a person to move. He agreed with an 8 am – 5 pm time. Discussion was held on mail running later than that. Mr. Rauch stated they can put something together and put it in front of council to review.

Mr. Joseph stated he would like an overall parking overhaul for the city and cited some issues in his neighborhood. Mr. Maxfield stated that he already has no parking in his neighborhood; it is impossible to enforce. There is a lot going on in the city and the signs are a waste of money as they aren't obeyed. It is hard to enforce. Mr. Rauch stated that they are driving to a place where they can address infrastructure. That will be a natural pivot point to address the parking concerns. There will be a number of things that need to adjust in the right-of-way. They will end up tackling it in the process. He will get with the chief and get an ordinance put together that will include Ms. Fry's suggestion.

**II. Strategic Plan Update** – Mr. Rauch stated they did the Strategic Planning process with partner's at WBI, which resulted in their workshop final report. Council identified the main areas of focus for the community: governance, infrastructure, public safety, and economic development. The next phase is implementing the plan and how they will do that. He created a spreadsheet on the priority areas, the main categories of the areas, the project, the task at hand, the responsible parties, and a target accomplishment date. This implementation plan is a living document and has to be able to adapt. He will send out the sheet to council and requested feedback. He added they do not want to get too specific of an implementation plan. They need something focused on what the priorities of the community are. He plans to revisit in March bringing the implementation plan with council comments and have them adopt that.

*Power went out due to windstorm at approximately 6:21 pm; system restored at 6:38 pm.*



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**III. Health & Safety Commission** – Mr. Rauch stated that this commission had been paused, and he is now ready to get it moving forward with the strategic plan. He suggested that a council member be appointed as an ex-officio member as a council voice will help to bring things to the table. This person could also be a part of shaping the mission of the role of the group in the community. He stated he will bring it before them in the form of an ordinance in the near future.

**IV. Land Use Plan Update** - Mr. Rauch stated that a first draft has been received and MKSK is asking for comments in the next two weeks. He plans to give it to the planning commission, the governance committee, and council for their review. Any comments need to be submitted back to staff, and once it is finalized, he will bring forth a resolution of adoption to council in May. Ms. Fry asked what the resolution of adoption will do. Mr. Rauch replied that it will move them from a 2005 plan to a new plan. This also creates a first step to updating the zoning code. It will make it official. He added that he will send the first draft to council for their review.

**V. Engineering Services RFQ Update** – Ms. Bartlett stated that they issued an RFQ for a new engineering firm. Choice One has been the firm for the past seven years, a five year contract with an additional two years allowed. The contract expires in April. She stated they received four proposals: Crawford, Murphy, and Tilley (CMT); Choice One Engineering; Kleingers; and Burgess & Niple. She reviewed the scoring criteria and added that they followed the ODOT/Federal Highway selection process as that allows them to get federal money without going out for federal qualified firms. CMT scored the highest and will have a five year contract with a two year option to renew. Deputy Mayor Lommatzsch asked if Choice One will continue in the contracts they are in. Ms. Bartlett stated that they will finish the contracts they are currently in as they know all the details. She added that scores were very close, especially among the top three. They looked at the project manager and gave the most points that way. She stated that she, Mr. Rauch, and Ms. Holt all thought that CMT was best for the city. She added that the 2023 budget includes \$50,000 for internal engineering and covers basic questions/issues that come up over the course of the year with some minor improvements. This year, they will get assistance with the signal/lighting maintenance contract and damaged guardrail and fence contract. She added that this does not cover any new projects; those would require a supplemental to this year's budget, if and when needed. She stated that CMT is the engineer for the City of Trotwood and the City of Carlisle and has contracts with ODOT District Seven and District Eight. Mr. Joseph asked if cost was taken into consideration. Ms. Bartlett stated that cannot be used as a selection factor in federal dollars. They did ask for their hourly rates to know what they were getting into. Mr. Rauch stated they are a bit more expensive, but the main thing they look into is what they put in the budget. The \$50,000 is what they have set aside to do this kind of work. If they need to adjust, they will develop some recommendations. A resolution will be forthcoming to council.



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**VI. Aggregation Update** – Mr. Lohr stated he had additional information that he hopes will help council to come to a decision to move forward. Representatives from SOPEC, Philip Leppla and Luke Sulfridge, were in attendance for questions. He stated that since last discussed, SOPEC was approved by PUCO for the Natural Gas Aggregation Program, so they can start that program. He found out that the City of Fairborn did go with MVCC to go with them for electric aggregation.

Mr. Lohr stated that they compared the size of aggregation groups last time. SOPEC has since provided numbers for that. MVCC /Palmer has a potential of 860 GWh annually, 4.2 BCF yearly. This is the interested group; they do not have a full idea of what it will actually be. The first bid process is in April, and they are not sure what jurisdictions they would join with in that bid process. With SOPEC, when they include their actual number and the additional communicates that are interested, the total is around 1,000 GWh annually. Now, they have a 600 GWh pool of jurisdictions. It would add an additional 400 GWh. The gas program is still forming. Mr. Lohr stated that SOPEC also provided some clarification and comparisons with the processes of locking in a contract for electric or natural gas. With MVCC the plan is to put out for bids in April with prices in effect for August. With SOPEC, if council passes legislation to join, they would be able to start electric sooner as they have an agreement with AEP energy already as their sole aggregator. They will look at rates on a daily basis to see where best to lock it in. He added that SOPEC offers legal and grant assistance for energy assisting ability issues. IF they wanted to get into a sustainability project and to apply for a grant, SOPEC would provide them with assistance. MVCC does not offer this. He stated with SOPEC recently being approved by PUCO and other listed reasons he would recommend going with SOPEC as their electric and gas aggregator.

Mrs. Franklin asked how billing would work with AES and how does the brown energy option work. Mr. Sulfridge stated that they have RECs (Real Energy Certificates) that represents the green value, so when power is produced that is one component of what is being produced. It is an \$0.83 difference per month. If someone decides not to participate in the green program in Dayton, then it is backed out of their rate. Very few residents take advantage of that. It is something that a person can choose to do. He added that Dayton is actually saving. From June 2022 – June 2023, they are saving about \$300/household. AES is at 10.9 while SOPEC is at roughly 7.4 - 7.5.

Mr. Maxfield asked about the grants they offer. Mr. Sulfridge stated that their budget includes grants and is a component for communities that want to participate. They set a base line number and they back it up on a per meter basis. Communities get that on a per meter basis. From that it is then approved by the board on a project basis and received by the council on the other side. As long as it is part of the program design that is how it works. He added that 70 percent of the grants go back into the community, 20 percent go to a revolving loan fund that is budgeted and any community can draw down on that for a short term loan that will be reimbursed fairly quickly or on an energy project



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like an LED light conversion that may take a year-and-a-half to pay for itself. The last 10 percent goes towards regional projects that would be broad-cutting projects like installing regional car chargers. He added that the loans are not competitive; it is allocated and divided up per community. If the funds aren't used in a given year, it rolls into the next year. It is set aside for a given community.

Mr. Joseph asked if the larger pool of customers they have will give them more bargaining power to negotiate lower rates. Mr. Sulfridge said with bargaining power there are a couple of pieces to that. There are lower rates, but timing the market is way more significant, especially now since it is a volatile commodity. Watching the market and not picking an arbitrary date has been key to their savings. They are growing and are currently talking to a dozen communities that are having active conversations for the fall ballot. It will continue to grow especially since rates are going up across the board. AES went from 4.8 to 10.9.

Discussion was held on SOPEC being the right aggregator to join. Mr. Lohr stated that MVCC is pulling in people regionally, but SOPEC is reaching across the state. Mr. Rauch stated they will bring this forward to council in March. If there is a change in the market, they will come back with an update.

Mr. Joseph asked what the process to switch from an existing aggregate. Mr. Sulfridge stated they will need to look at their early termination fees to see what make sense. They do have a 1-800 number where people can be asked to be switched and enrolled in the program. AES will still do the billing, but AEP Energy is who they are procuring and will make the switch. Mr. Joseph stated a big communication blast will probably be in order with all the questions that will be asked. Mr. Sulfridge stated a resident who has previously shopped will not be included in the aggregation list, and some residents are excluded due to program requirements. Once switched it happens as quick as the next meter read.

Discussion was held on how information gets to the public and who handles those costs. Mr. Sulfridge stated they will handle all of that information as they work with attorneys at AEP Energy. The letter will come to the city beforehand, then to PUCO for their review. It will then be mailed out to the public. It will provide them with 21 days to say if they do not want to be in the program. There is no early termination fee with SOPEC. The only delay is how long it takes to synchronize them with their program. Mr. Rauch stated as with anything it is a market and things can change, but they feel this will be beneficial for the city and its residents and give the best opportunity to get the most competitive pricing. Mr. Maxfield asked when they would qualify for the grants. Mr. Sulfridge replied it would be this calendar year.

**CITY MANAGER UPDATES:** Mr. Rauch stated he will work with Ms. Bartlett to get the purchase order through for lighting on Beatrice Drive. Those lights will fall into one

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district and the lights will be assessed just like all the other streetlights in that district. He stated the wait time on new medics is nearly two years, and the oldest medic they need to replace is 12 years old. The fire department has a reserve balance. They would like to earmark some of those funds and set it aside to hold in reserve until they receive the vehicle in two years. He stated at the March 2, 2023, meeting there will be legislation for the OBC staff appointments, and a resolution with JobsOhio that Ms. Minnich helped obtain to pay \$25,000 of the work the Downing group is doing to position the buildings. He added they do have some contractual cleanup with McGowan Brabender, who helped them with the OBC process.


He quickly presented the Land Use Plan as power went out when the subject was discussed. He showed the 95 page document and highlighted a number of areas where the consultant was able to summarize information and make it easily presentable. He stated that the big maps that were at the community meetings are in the presentation as well. All culminating in that map shows the focus areas of development. The circle area indicates a downtown area, and then there are the back sections of the report that do a deep dive into each area. It is a living document. They are working on the deliverable element. He added that they asked them to expand on some sections.

**COUNCIL MEMBER COMMENTS:** Ms. Fry stated the next blood drive is on February 27, 2023. Anyone who wishes to signup can go to [www.donortime.com](http://www.donortime.com) and look under Riverside. The time will be 3:00 – 7:00 pm.

Mr. Maxfield stated on February 18, 2023, will be the Mad River Youth Fish Fry. It will be \$15/person presale and \$20 at the door. It is all you can eat with adult beverages or soda. Tickets will be sold at the football field next week. It will be held at Advance Business Properties at 1675 Woodman from 6:00 – 11:00 pm. He added it is a very well attended event. Deputy Mayor Lommatzsch encouraged residents to support the youth as this helps to pay for equipment and referees and such.

**ADJOURNMENT:** Mr. Maxfield moved, seconded by Mr. Joseph, to adjourn. All were in favor. The meeting adjourned at 7:12 pm.

  
Peter J. Williams, Mayor

  
Clerk of Council